

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: January 5, 2007

Signature:

Shawn P. Foley
(Shawn P. Foley)

Docket No.: FELDER 3.9-001
CON DIV
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Felder et al.

Application No.: 10/677,983

Group Art Unit: 1632

Filed: October 2, 2003

Examiner: A. M. Falk

For: G PROTEIN-RELATED KINASE MUTANTS
IN ESSENTIAL HYPERTENSION

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This communication is in response to the Office Action mailed July 5, 2006, setting forth a Restriction Requirement in the captioned application. In the Office Action, the Examiner required restriction to one of the following inventions under 35 U.S.C. §121 enumerated as Groups I-XI.

In response to the request for Restriction, Applicants hereby elect Group III, claims 9-13. This election is made with traverse. The subject matter of claims 4-8, 22-24 and 27 is claimed in U.S. Patent 6,660,474, which issued from the parent application. Accordingly, these claims are being cancelled.

Notwithstanding the alleged differences in classification between the claims in Group III and Group IV, Applicants respectfully request a modification of the requirement so as to join claims 14, 25 and 26 with the elected claims, for purposes of examination. The claims of Group IV also recite a GRK4 protein. Thus, it would certainly appear that the search that would be conducted to determine whether the

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claims of Group III, are patentable would be fairly, if not substantially coextensive with the search in connection with Group IV.

Applicants reserve the right to file a divisional application corresponding to the non-elected claims.

In the event any fee is due in connection with the present response, the Examiner is authorized to charge Applicant's Deposit Account No. 12-1095 therefor.

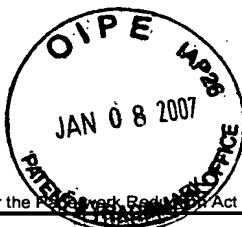
Dated: January 5, 2007

Respectfully submitted,

By Shawn P. Foley
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PTO/SB/17 (07-06)
Approved for use through 01/31/2007. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818). FEE TRANSMITTAL For FY 2006		Complete if Known	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Application Number	10/677,983-Conf. #9056
TOTAL AMOUNT OF PAYMENT (\$) 0.00		Filing Date	October 2, 2003
		First Named Inventor	Robin A. Felder
		Examiner Name	A. M. Falk
		Art Unit	1632
		Attorney Docket No.	FELDER 3.9-001 CONT DIV

METHOD OF PAYMENT (check all that apply)	
<input type="checkbox"/> Check	<input type="checkbox"/> Credit Card
<input type="checkbox"/> Money Order	<input type="checkbox"/> None
<input type="checkbox"/> Other (please identify): _____	
<input checked="" type="checkbox"/> Deposit Account	Deposit Account Number: <u>12-1095</u> Deposit Account Name: <u>Lerner, David, Littenberg, Krumholz & Mentlik, LLP</u>
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)	
<input type="checkbox"/> Charge fee(s) indicated below	<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee
<input checked="" type="checkbox"/> Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17	<input checked="" type="checkbox"/> Credit any overpayments

FEE CALCULATION							
1. BASIC FILING, SEARCH, AND EXAMINATION FEES							
	FILING FEES		SEARCH FEES		EXAMINATION FEES		
		Small Entity		Small Entity		Small Entity	
Application Type	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)	Fees Paid (\$)
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	
2. EXCESS CLAIM FEES							
Fee Description						Small Entity	
						Fee (\$)	Fee (\$)
Each claim over 20 (including Reissues)						50	25
Each independent claim over 3 (including Reissues)						200	100
Multiple dependent claims						360	180
Total Claims		Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims		
<u>37</u> - 38 = _____		x _____	= _____		Fee (\$)		Fee Paid (\$)
HP = highest number of total claims paid for, if greater than 20.							
Indep. Claims		Extra Claims	Fee (\$)	Fee Paid (\$)			
<u>11</u> - 13 = _____		x _____	= _____				
HP = highest number of independent claims paid for, if greater than 3.							
3. APPLICATION SIZE FEE							
If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).							
Total Sheets		Extra Sheets	Number of each additional 50 or fraction thereof		Fee (\$)	Fee Paid (\$)	
_____ - 100 = _____		/50	_____ (round up to a whole number) x _____		= _____		
4. OTHER FEE(S)							
Non-English Specification, \$130 fee (no small entity discount)							
Other (e.g., late filing surcharge): _____							

SUBMITTED BY			
Signature	<u>Shawn P. Foley</u>	Registration No. (Attorney/Agent)	33,071
Name (Print/Type)	Shawn P. Foley	Telephone	(908) 518-6346
		Date	January 5, 2007